

DECLARATORY

Improvement Res. No. 1169-1965

For the Vacation of the first alley east of
Winter Street and north of Lanternier Street
from the east property line of Winter Street
to the north property line of Lanternier Street.

Resolution Adopted: June 23, 1965

Confirmed: WAIVERS signed
June 23, 1965

Bids Received:

Contract Awarded:

Contract and Bond:

Contractor:

Reported Completed:

Assessment Roll Confirmed: July 29, 1965

1169

B.O. 1 64

DECLARATORY RESOLUTION NO. 1169-1965

For the Vacation of the first alley east of Winter Street and north of Lanternier Street from the east property line of Winter Street to the north property line of Lanternier Street.

PLANS ORDERED:

ADOPTED:

June 23, 1965

ADVERTISE NOTICE TO PROPERTY OWNERS: WAIVED (Waivers signed)

HEARING ON CONFIRMATION:

CONFIRMED:

ASSESSMENT ROLL ORDERED: June 23, 1965

ASSESSMENT ROLL APPROVED: July 6, 1965

HEARING ON CONFIRMATION

OF ASSESSMENT ROLL: Thurs., July 29, 1965, 3:30 p. m.

NOTICE SERVED: July 16, 1965

ASSESSMENT ROLL CONFIRMED: July 29, 1965

For the Vacation ~~Opening~~ ~~Condemnation of right of way for utility purposes~~ of the first alley east of Winter Street and north of Lanternier Street from the east property line of Winter Street to the north property line of Lanternier Street.

Resolved by the Board of Public Works of the City of Fort Wayne, Indiana, that it is desired and deemed necessary to vacate the first alley east of Winter Street and north of Lanternier Street from the east property line of Winter Street to the north property line of Lanternier Street.

All as shown by a plan of such proposed Vacation ~~Opening~~ ~~Condemnation of right of way for utility purposes~~ as above described, now on file in the Office of the Department of Public Works of the City of Fort Wayne, Indiana

The cost of said Vacation ~~Opening~~ ~~Condemnation of right of way for utility purposes~~ shall be assessed against the property beneficially affected thereby.

The property which may be injuriously or beneficially affected by such Vacation ~~Opening~~ ~~Condemnation of right of way for utility purposes~~ is described as follows: Lots 35 to 46 inclusive, Edgerton's Amended Addition and Railroad right-of-way north of Edgerton's Amended Addition. Said addition and right-of-way are inclusive to the City of Fort Wayne, Indiana.

All according to the method and manner provided for in an act of the General Assembly of the State of Indiana, entitled "An Act Concerning Municipal Corporations", as approved March 6, 1905 and the provisions of all acts amendatory thereto and supplemental thereof, including the right to bond assessments as in said law ordered.

Assessments if deferred are to be paid in ten equal installments with interest at the rate of five (5)% per annum. Under no circumstances shall the City of Fort Wayne, Indiana be or be held responsible for any sum or sums due from the said property owner or owners, or for the payment of any bond or bonds, except for such moneys as shall have been actually received by the City from the assessments for such property damages as said City is by said above entitled act required to pay. All proceedings had in the making of said improvement, assessment of property, collection of assessments and issuance of bonds therefor, shall be as provided for in said above entitled act and all amendments thereto and supplements thereof.

~~The vacation of the above described _____ shall be subject to an easement for the use of the City of Fort Wayne, Indiana, and other public utilities for the construction and maintenance of sewers, water mains, gas mains, electric pole lines and conduits, telephone and telegraph pole lines and conduits.~~

All Streets, lots and lands affected by the above described vacation are situated in the northeast quarter of Section Twelve, Township 30 north, Range 12 east and lie wholly within the corporate limits of the City of Fort Wayne, Indiana.

ADOPTED THIS 23 DAY OF June 1965.

Attest:

Secretary Board of Public Works.

Robert W. Dalman
Board of Public Works.



STREET TO BE VACATED



ALLEY TO BE VACATED

1169



ST.

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WINTER

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LANTERNIER

SPUR

TRK.

ST. AND

50

LILLIE

ST.

BLVD.

50

ANTHONY

OFFICE OF
BOARD OF PUBLIC WORKS



FORT WAYNE 2, INDIANA

48-174-6

B.O. 186-'64

Date June 23, 1965

To City Engineer

Subject Dec. Reso. 1169-1965 alley east of Winter St.

Prepare Assessment Roll of Benefits \$1.00 and Damages \$1.00.

Fred S. Ehrman
Robert W. Dahman
George F. Gable
BOARD OF PUBLIC WORKS

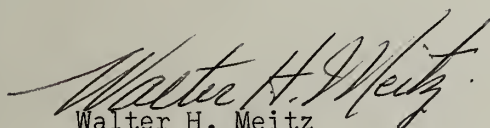
ic
attach Reso. & P.O. List

Signed _____

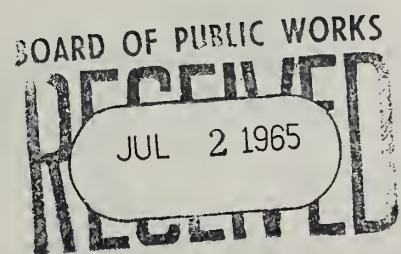
Reply:

July 1, 1965

Assessment Roll of Benefits and Damages completed and attached.


Walter H. Meitz
City Engineer

DEB:lc
Attachs.



Signed _____

SENDER: REMOVE & KEEP 3RD COPY - RECEIVER: ANSWER & KEEP 2ND COPY - RETURN 1ST COPY

City of Fort Wayne

CITY PLAN COMMISSION
425 S. Calhoun Street

December 24, 1964

Mr. Donald E. Bodeker
Office Engineer
City Engineer's Office
425 South Calhoun Street
Fort Wayne, Indiana

Dear Mr. Bodeker:

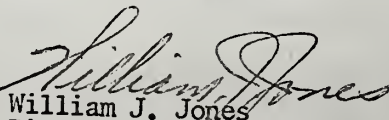
We have reviewed the proposed vacation of Lillie Street between Lanternier Street and the Wabash spur track and the alley running north and south between Lillie and Winter Streets north of Lanternier and have no objection to the above vacations for the following reasons:

1. It is apparent from field inspection that Lillie Street never will be extended north of the Wabash Railroad because of the location of the General Electric Plant immediately north of the railroad and on a direct line with the right of way of Lillie Street to be vacated.
2. At the present time Indiana & Michigan Electric Company owns ground on both sides of the section of street to be vacated and it would seem that a better use of the land could be obtained if the street were vacated and allow the two parcels to be tied together.
3. The alley from Lanternier north to the railroad and thence west to Winter Street serves no useful purpose from the standpoint of servicing adjacent property. The only owner involved would be the Hipkind Asphalt Company and they presently have a building which is located on the east-west portion of the alley to be vacated. Also, the alley is fenced off and apparently has been fenced off for a good many years.

For the above reasons, it is our recommendation that the alley and street involved be vacated subject to retention of the necessary utility easements.

Sincerely,

CITY PLAN COMMISSION


William J. Jones
Director of Planning

1169



OFFICE OF
BOARD OF PUBLIC WORKS



FORT WAYNE 2, INDIANA

47-196-4

NOTED

Date Sept. 30, 1964

☒ F.S.E.

☒ R.W.D.

☐ G.F.G.

To B.O. 186-'64
City Engineer

Subject Vacation - alley East of Winter

Received a petition for the vacation of the first alley east of Winter Street and north of Lanternier Street from the east property line of Winter Street to the north property line of Lanternier Street. Also, for the vacation of Lillie Street from the north property line of Lanternier Street to the north property line of the vacated ~~street~~ ^{alley} north of Lanternier Street.

Prepare an opinion, after conferring with all Governmental Agencies and Utilities.

Fred S. Ehrman
Robert W. Dahman
George F. Gable
BOARD OF PUBLIC WORKS

ic
attach copy of petition & drawing

Signed _____

Reply:

On Board Order 186-'64

June 21, 1965

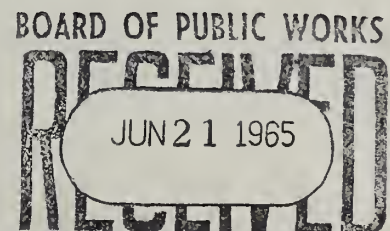
1169

We are attaching a declaratory resolution, drawing and property ownership list for the alley vacation described above. We believe the street vacation should have a separate Board Order No. and it is being forwarded with another memo.

It will not be necessary to hold a public hearing because all of the property owners affected have signed waivers, which are attached.

Walter H. Meitz - D.B.
Walter H. Meitz
City Engineer

D.E.B.:cl



Signed _____

SENDER: REMOVE & KEEP 3RD COPY - RECEIVER: ANSWER & KEEP 2ND COPY - RETURN 1ST COPY

BOARD OF PUBLIC WORKS

RECEIVED
NOV 5 1964
RECEIVED

NOTED

☒ F.S.E.
☒ R.W.D.
☐ G.F.G.

Date _____

November 4, 1964

William J. Jones
Planning Director

James T. White
Traffic Engineer

Please submit your opinion and recommendation on the following proposed vacations:

The first alley east of Winter Street and north of Lanternier Street from the east property line of Winter Street to the north property line of Lanternier Street.

Lillie Street from the north property line of Lanternier Street to the north property line of the vacated alley north of Lanternier Street.

Donald E. Bodeker
Donald E. Bodeker
Office Manager

DEB:is

cc: Board of Public Works
(Board Order 186-1964)

November 4, 1964

Northern Indiana Public Service Company
Indiana & Michigan Electric Company
General Telephone Company of Indiana

We have received petitions to vacate the
followings:

The first alley east of Winter Street and north
of Lanternier Street from the east property line of Winter Street
to the north property line of Lanternier Street.

Lillie Street from the north property line of
Lanternier Street to the north property line of the vacated alley
north of Lanternier Street.

Please check your easement requirements on the
enclosed post cards and return them to us as soon as possible.

Very truly yours,

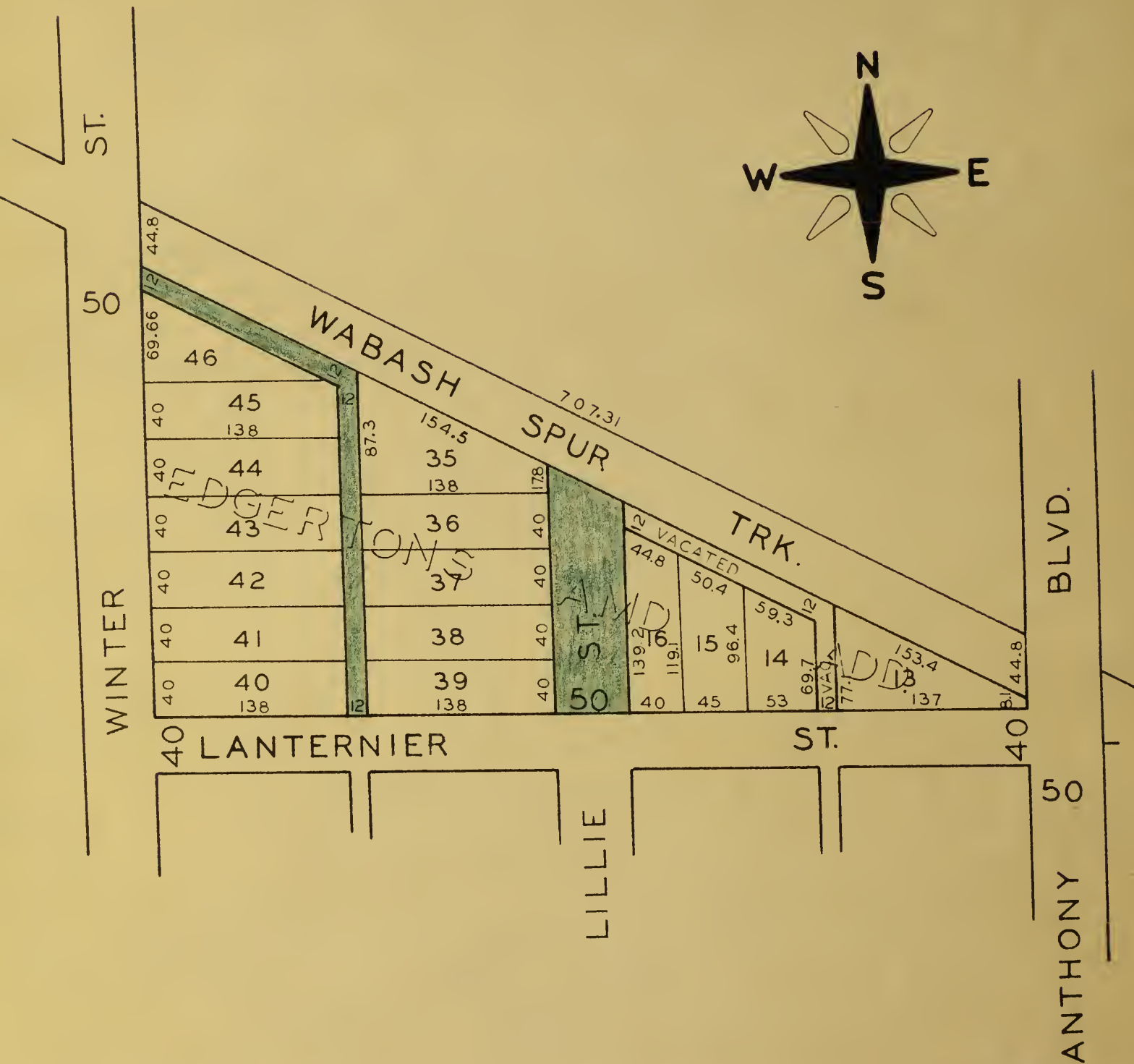
Donald E. Bodeker
Donald E. Bodeker
Office Manager

DEB/lc
attache.

cc: Board of Public Works
(Board Order No. 186-1964)



STREET TO BE VACATED
ALLEY TO BE VACATED



Contact: Maelyn T. PARKER
attorney
742-8341

BOARD OF PUBLIC WORKS

P E T I T I O N

SEP 29 1964

Fort Wayne, Ind.,

April 13, 1964

To the Board of Public Works of the City of Fort Wayne:

Gentlemen:

186

The undersigned, owners of real

estate on _____, from

_____ to _____

respectfully petition for the passage of a resolution providing for the vacation of the first alley east of Winter Street and north of Lanternier Street from the east property line of Winter Street to the north property line of Lanternier Street. Also, for the vacation of Lillie Street from the north property line of Lanternier Street to the north property line of the vacated street north of Lanternier Street.

NAME

ADDRESS

Lipskind Asphalt Corp 1725 Winter St.

Petitioner

By David L. Lipskind, Pres.

Indiana & Michigan Electric Company, 2101 Spy Run Avenue, Fort Wayne, Indiana

R. E. Doyle, Jr.

R. E. Doyle, Jr., Vice-President

WAIVER

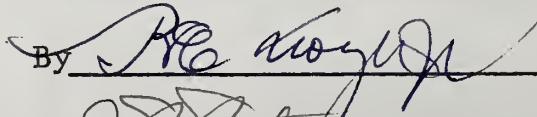
The undersigned corporation, the owner of all property which may be injuriously or beneficially affected by the proposed vacation of a street described as follows, to-wit:

The vacation of the first alley east of
Winter Street and north of Lanternier Street
from the east property line of Winter Street
to the north property line of Lanternier Street,

which proposed vacation is set out in a resolution of the Board of Public Works of the City of Fort Wayne, Indiana, No. 1169, does hereby waive any and all rights it may have to receive notice of such resolution either by publication or otherwise, and does waive its right to a hearing on said resolution and its right to file or present in any way any remonstrance against the action taken by said Board under said resolution; and it does agree that Board may take such final action as it may deem appropriate on said resolution, either confirming, modifying or rescinding said resolution and that such action so taken shall be final and conclusive upon said corporation.

Dated this 29th day of January, 1965.

INDIANA & MICHIGAN ELECTRIC COMPANY

By 
By 

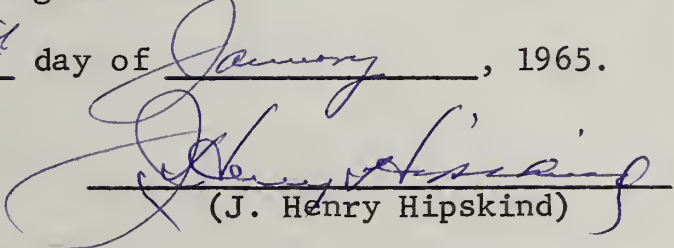
WAIVER

The undersigned, the owners of all property which may be injuriously or beneficially affected by the proposed vacation of a street described as follows, to-wit:

The vacation of the first alley east of Winter Street and north of Lanternier Street from the east property line of Winter Street to the north property line of Lanternier Street,

which proposed vacation is set out in a resolution of the Board of Public Works of the City of Fort Wayne, Indiana, No. 1169, do hereby waive any and all rights they may have to receive notice of such resolution either by publication or otherwise, and do hereby waive their right to a hearing on said resolution and their right to file or present in any way any remonstrance against the action taken by said Board under said resolution; and they hereby agree that Board may take such final action as it may deem appropriate on said resolution, either confirming, modifying or rescinding said resolution and that such action so taken shall be final and conclusive upon the undersigned owners.

Dated this 30th day of January, 1965.



(J. Henry Hipskind)

Frances H. Hipskind
(Frances H. Hipskind)

WAIVER

The undersigned corporation, the owner of all property which may be injuriously or beneficially affected by the proposed vacation of a street described as follows, to-wit:

The vacation of the first alley east of Winter Street and north of Lanternier Street from the east property line of Winter Street to the north property line of Lanternier Street, which proposed vacation is set out in a resolution of the Board of Public Works of the City of Fort Wayne, Indiana, No. 1169 , does hereby waive any and all rights it may have to receive notice of such resolution either by publication or otherwise, and does waive its right to a hearing on said resolution and its right to file or present in any way any remonstrance against the action taken by said Board under said resolution; and it does agree that Board may take such final action as it may deem appropriate on said resolution, either confirming, modifying or rescinding said resolution and that such action so taken shall be final and conclusive upon said corporation.

Dated this 25th day of March, 1965.

PITTSBURGH, FORT WAYNE & CHICAGO RAILWAY COMPANY

By _____

[Signature]
Vice President

By _____

[Signature]
ASSISTANT SECRETARY

ATTEST:

For THE VACATION OF THE FIRST ALLEY EAST OF WINTER STREET AND NORTH OF LANTERNIER STREET FROM THE EAST PROPERTY LINE OF WINTER STREET TO THE NORTH PROPERTY LINE OF LANTERNIER STREET.

	OWNER'S NAME	ADDRESS	R. P. O.	NUMBER OF			DESCRIPTION
				LOT	BLOCK	O. L.	
1	HIPSKIND, J. HENRY & FRANCES H.	1713 Kensington Blvd		40			EDGERTONS AMID. ADD.
2	" "	"		41			" "
3	" "	"		42			" "
4	" "	"		43-S-16 OF W. 122'			" "
5	" "	"		43-S-27 OF E-65.8'			" "
6	" "	"		43-N-24 OF W-72.2'			" "
7	" "	"		43-N-12 OF E-65.8'			" "
8	" "	"		44			" "
9	" "	"		45			" "
10	" "	"		46			" "
11	INDIANA & MICHIGAN ELECTRIC CO.	201 Spay Dene Ave		39			" "
12	" "	attn. G.L. Bridgwater		38			" "
13	" "	"		37			" "
14	" "	"		36			" "
15	HIPSKIND, J. HENRY & FRANCES	1713 Kensington Blvd		35			" "
16							
17	PITTSBURGH, FORT WAYNE & CHICAGO RAILWAY CO.	46 Pennsylvania Railroad 231 W. Baker St.					
18							
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